

REMARKS

Request for Withdrawal Finality

In the Final Office Action issued June 7, 2007, it is stated that the new grounds of rejection of the Office Action was necessitated by applicants' amendment. Applicants' disagree. The new ground of rejection with respect to claims 6 and 7 was not necessitated by applicants' amendment.

In the first Office Action on the merits, only claims 6 and 7 were rejected in view of "prior art." In the Reply filed March 29, 2007, claims 6 and 7 were amended, but not to distinguish the claims from the reference cited in the "prior art" rejection. The claims were amended to eliminate superfluous language to obviate assertions regarding improper antecedent basis.

As for the "prior art" rejection of claim 6 and 7, applicants pointed out to the Examiner that the reference relied on in the rejection, Foglietta et al. (US 6,712,880), was in fact **not prior art** with respect to applicants' claimed invention.

Applicants respectfully submit that the new ground of rejection with respect to claims 6 and 7 was necessitated by prior reliance on a reference that was not prior art. This new ground of rejection was not necessitated by applicants' amendment.

For the reasons stated above, withdrawal of the finality of the June 7, 2007 Office Action is respectfully requested.

Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's indication that claims 8-10 recite allowable subject matter. See page 5 of the Office Action.

Amendments

As noted above, claim 8 is acknowledged to recite allowable subject matter. Claim 6 is amended above to recite the features from claim 8, now cancelled. Thus, claim 6 is in condition for allowance. As a result of the amendments to claim 6, claim 9 is also cancelled and claim 10 is amended to depend from claim 7.

Claim 12 is amended to delete a superfluous "a." Claims 13 and 14 are amended to correct a typographical error. Each of these claims recited delivering a portion of the second

residue vapor **from** the first outlet of the heavy-ends fractionation column, but failed to recite to where it was being delivered. The claims are amended to recite that the portion of the second residue vapor is delivered to a second inlet of the light-ends fractionation column. See, e.g., Figure 1, lines 14, 16, 23, and 23a.

Entry of the above amendments is respectfully requested.

Rejection of Claims 6-7 under 35 USC 102(b) and/or 35 USC 103(a)

Claims 6-7 are rejected as allegedly being anticipated or obvious in view of Wilkinson et al. (US 5,799,507). This rejection is also respectfully traversed.

As noted above, claim 8 is acknowledged to recite allowable subject matter. Claim 6 is amended above to recite the features from claim 8. Thus, claim 6, and claim 7 which depends from claim 6, are both in condition for allowance. Withdrawal of the rejection is respectfully requested.

Rejection of Claims 11-24 under 35 USC 102(b) and/or 35 USC 103(a)

Claims 11-24 are rejected as allegedly being obvious in view of Buck et al. (US 4,895,584). This rejection is also respectfully traversed.

To establish anticipation, the rejection must indicate where the asserted anticipatory reference discloses each feature of the rejected claim. See, e.g., *Ex parte Levy*, 17 USPQ2d 1461, 1462 (POBA 1990) [“Moreover, it is incumbent upon the examiner to identify wherein each and every facet of the claimed invention is disclosed in the applied reference.”]. Merely citing the Figures of US ‘584 does not indicate where the asserted anticipatory reference discloses each feature of the rejected claims. Thus, the instant anticipation rejection fails to indicate where each of the features of claims 11-24 are disclosed and thus should be withdrawn on this basis alone.

As for obviousness, the rejection fails to set forth the differences between the claimed invention and the cited prior art and why such differences are obvious. See, e.g., *Graham v. John Deere*, 383 U.S. 1 (1966) and *KSR International Co. V. Teleflex Inc.*, 127 S. Ct. 1727 (2007). Thus, the instant obviousness rejection should be withdrawn on this basis alone.

US ‘584 discloses a process and system for separating a hydrocarbon feed gas containing methane, C₂ hydrocarbons, and heavier hydrocarbons into a lighter fraction containing methane and lighter components and a heavy fraction containing predominantly C₂

hydrocarbons and heavy hydrocarbons. In the Figures, the system is shown to include a first high pressure separator 44, which receives the raw feed gas, a second high pressure separator 48, which receives a residue gas from first high pressure separator 44, a light ends fractionating column 52, which receives, inter alia, residue vapor from the second high pressure separator 48, and a heavy ends fractionation column 56, which receives liquid from the first high pressure separator 44, the second high pressure separator 48, and the light ends fractionating column 52. However, as discussed in further detail below, the system of US '584 does not have a reflux separator.

In Figure 1, a portion of the liquid residue removed from the first high pressure separator 44 may be delivered to the heavy ends fractionation column 56 via valve 54. Also, all or a portion of the liquid residue removed from the first high pressure separator 44 is commingled with off gas from the heavy ends fractionation column 56 (see valve 58). The commingled stream is then delivered to the light ends fractionating column 52 via valve 62. The liquid residue removed from the first high pressure separator 44 is treated in a similar manner in Figure 2 (see, e.g., valves 54, 58, and 62), Figure 3 (see, e.g., valves 54, 62, and 74), and Figure 4 (see, e.g., valves 54, 58, and 62). In Figure 2, a portion of the liquid residue removed from the first high pressure separator 44 is co-mingled with off gas from the heavy ends fractionation column 56 as described for Figure 1.

US '584 does not disclose or suggest delivering any portion of liquid residue removed from the first high pressure separator 44 to a reflux separator. Compare line 4B, line 16 and reflux separator 57 in applicants' Figures.

Turning to the second high pressure separator 48 of US '584, as shown in Figure 1, the liquid residue from separator 58 is delivered to the heavy ends fractionation column 56 via line 16 and valve 60. The same is true for the embodiments illustrated in Figures 2-4. Thus, US '584 does not disclose or suggest delivering any portion of liquid residue removed from the second high pressure separator 48 to a reflux separator. Here again, compare line 4B, line 16 and reflux separator 57 in applicants' Figures.

From the above discussion, it is evident that US '584 fails to disclose or suggest a reflux separator as recited in applicants' claim 11. As a result, US '584 fails to disclose or suggest any connections to such a reflux separator as recited in applicants' dependent claims 15-21, 23 and 24.

In view of the above remarks, it is respectfully that US '584 fails to anticipate or render obvious applicants' claimed invention. Withdrawal of the rejection is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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